



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

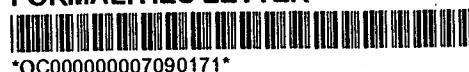
 03 CO / \$ 12
 Box
 See

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/770,916	01/26/2001	Dara W. Frank	650053.91487


 Jean C. Baker
 Quarles and Brady LLP
 411 East Wisconsin Avenue
 Milwaukee, WI 53202-4497

CONFIRMATION NO. 6613

FORMALITIES LETTER



OC000000007090171

Date Mailed: 11/19/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

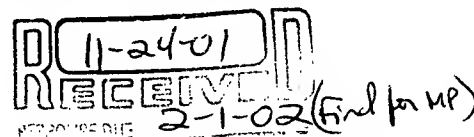
The U.S. Patent and Trademark Office has received your reply on 10/01/2001 to the Notice to File Missing Parts (Notice) mailed 08/01/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The statutory basic filing fee is insufficient.
Applicant must submit \$ 15 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$12.
 - \$12 for 6 independent claims over 3 .
- The balance due by applicant is \$ 27.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.





For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Almad

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov



Attachment to Notice of Incomplete Reply

This is in response to Applicant's remarks regarding sequence rule compliance in the instant application. An application that contains generic techniques to determine DNA sequence information such as DNA molecule length or nucleotide composition, without disclosing specific sequences, would not have to comply with the sequence rules. The instant application, however, also discloses specific sequences. The facts that no sequences are claimed and any specific sequence mentioned would be used solely for illustrative purposes and not represent a novel sequence disclosure are immaterial. Any sequence that is disclosed must be submitted in accordance with 37 CFR 1.821-825. That is the meaning of the "exclusively" language.

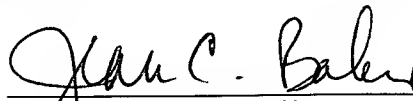
Sequences were found at page(s) _____, and/or Figure 6A-7

0300/\$

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Signature and Deposit: ~~October 31, 2001~~

Dec 5 2001


Jean C. Baker, 35,433



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: FRANK, Dara W., et al.

Date: December 5, 2001

Serial No.: 09/770,916

Group Art Unit: 1645

Filed: January 26, 2001

Examiner:

Title: METHOD OF AND COMPOSITIONS
FOR IMMUNIZATION WITH THE
PSEUDOMONAS V ANTIGEN

File No. 650053.91487

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Commissioner For Patents
Attention: Box Missing Parts
Washington DC 20231

Dear Sir:

In response to a Notice of Incomplete Reply mailed on November 19, 2001 in the above-identified case, please amend the application by inserting the enclosed paper copy of the sequence listing into the application after the section of "Abstract of the Disclosure."

REMARKS

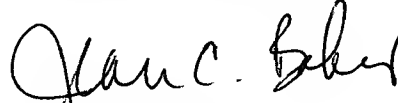
In the Notice of Incomplete Reply, the Applicants are informed that a balance of \$27.00 is due for the basic filing fee and additional claim fee. The Applicants are also requested to file a sequence listing in paper copy and computer readable form in compliance with 37 C.F.R. §§ 1.821-1.825. The period of reply remains as set forth in the Notice to File Missing Parts mailed on August 1, 2001.

The Applicants have enclosed a paper copy and a computer readable form of the sequence listing. A statement as required by 37 C.F.R. §§ 1.821(f) and 1.821(g) is also enclosed.

A petition for a three-month extension of time accompanies this response so that the response will be deemed to have been timely filed. If any other extension of time is required in this or any subsequent response, please consider this to be a petition for the appropriate extension and a request to charge the petition fee to the Deposit Account No. 17-0055.

Please charge the balance of \$27.00 due for the basic filing fee and additional claim fee to the Deposit Account No. 17-0055. No other fee is believed to be due in connection with this response. However, if any fee is due in this or any subsequent response, please charge the fee to the same Deposit Account No. 17-0055.

Respectfully submitted,



Jean C. Baker

Reg. No. 35,433

Attorney for Applicants

QUARLES & BRADY LLP

411 East Wisconsin Avenue

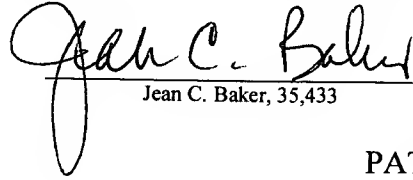
Milwaukee, WI 53202-4497

Phone: (414) 277-5709

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Signature and Deposit: ~~October 31, 2001~~

Dec 5, 2001


Jean C. Baker, 35,433

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT



Applicants: FRANK, Dara W., et al.

Date: December 5, 2001

Serial No.: 09/770,916

Group Art Unit: 1645

Filed: January 26, 2001

Examiner:

Title: METHOD OF AND COMPOSITIONS
FOR IMMUNIZATION WITH THE
PSEUDOMONAS V ANTIGEN

File No. 650053.91487

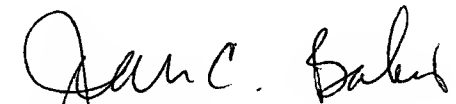
STATEMENT UNDER 37 C.F.R. §§ 1.821(f) and 1.821(g)

Commissioner For Patents
Attention: Box Missing Parts
Washington DC 20231

Dear Sir:

The content of the attached Sequence Listing for the above-identified application, containing SEQ ID NOs: 1 - 4, and the content of the enclosed diskette, labeled Frank et al., are believed to be the same. No new matter has been added.

Respectfully submitted,



Jean C. Baker
Reg. No. 35,433
Attorney for Applicants
QUARLES & BRADY LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202-4497
Phone: (414) 277-5709

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FREE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/770,916
Filing Date January 26, 2001
First Named Inventor Dara W. Frank
Examiner Name
Group Art Unit 1645
Attorney Docket No. 650053.91487

TOTAL AMOUNT OF PAYMENT

(\$) 487.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

17-0055

Deposit Account Name

Quarles & Brady LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
101 740	201 370	Utility filing fee
106 330	206 165	Design filing fee
107 510	207 255	Plant filing fee
108 740	208 370	Reissue filing fee
114 160	214 80	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES

Total Claims Independent Claims Multiple Dependent

Extra Claims

Fee from below

Fee Paid

20** = 0.00

3** = 0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

For number previously paid, if greater; For Reissues, see above

MITTED BY

(Print/Type)

Jean C. Baker

Registration No. (Attorney/Agent) 35,433

Complete (if applicable)

Telephone 414-277-5709

Date December 5, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

our Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending on the number of time you are required to complete this form should be sent to the

NOT SEND FEES OR COMPLETED FORMS TO THE

FEE CALCULATION (continued)

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) Balance due basic filing & claim			27.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 487.00